

# OFFICE OF THE ATTORNEY GENERAL

60



80-00093

CHARLES A. GRADDICK  
ATTORNEY GENERAL  
STATE OF ALABAMA

NOV 21 1979

LEE L. HALE  
DEPUTY ATTORNEY GENERAL

WILLIAM M. BEKURS, JR.  
EXECUTIVE ASSISTANT

WALTER S. TURNER  
CHIEF ASSISTANT ATTORNEY GENERAL

JANIE NOBLES  
ADMINISTRATIVE ASSISTANT

ADMINISTRATIVE BUILDING  
64 NORTH UNION STREET  
MONTGOMERY, ALABAMA 36130  
AREA (205) 634-5150

Marrell Dixon  
Mayor, Sardis City  
P. O. Box 541  
Boaz, Alabama 35957

Municipalities - Funds - Roads

Sardis City may legally pave  
street if street properly  
dedicated and accepted.

Dear Mayor Dixon:

This office has received your opinion request in which you ask whether Sardis City may legally pave a street in Sardis City known as "Professional Drive". You state that "Professional Drive" has been dedicated by deed to Sardis City. Your concern is whether the paving of "Professional Drive" might be considered "favoritism" because only one dental clinic exists on this loop road at this time although other medical facilities are to be constructed in the future.

It is the opinion of this office that if the dedication of this street is properly "accepted" by Sardis City as evidenced by ordinance, resolution or act recognizing "acceptance", then such street may be paved by Sardis City. A street properly "dedicated" and "accepted" is a public street. Other concerns expressed in your request including the fact that this is a loop road and the fact that only one building presently exists on this road do not present legal issues, but are matters of policy which the governing body must determine as it sets paving priorities.

I do hope that this response fully answers your question.

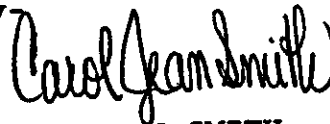
Marrell Dixon  
Page Two

If, however, we may be of further service, please do not  
hesitate to contact us.

Sincerely yours,

CHARLES A. GRADDICK  
Attorney General

By

A handwritten signature in cursive script, appearing to read "Carol Jean Smith".

CAROL JEAN SMITH  
Assistant Attorney General

CJS/sa